

Application No.: 09/707269

Case No.: 53415US038

**REMARKS**

Upon entry of the present amendment, claims 16, 19-39, and 41-43 will be pending. Claim 18 has been canceled and claims 16, 36, and 41 have been amended. Support for the amendment can be found, for example, at page 24, lines 5-9 of the specification. Applicants respectfully submit that the amendment places the application in condition for allowance. Reconsideration of the application as amended is requested.

**I. Claims 16, 19-39, and 41-43 are Not Obvious in view of Kaufman, Hudson, and Hirabayashi**

Claims 16, 19-39, and 41-43 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Kaufman et al. (U.S. 5,954,997) in view of Hudson (U.S. 5,972,792) or in view of Hirabayashi, et al. (U.S. 5,575,885). Applicants request reconsideration of this rejection because the combination of Kaufman, Hudson, and Hirabayashi does not teach or suggest a working liquid that comprises a buffer comprising a polyprotic protolyte having at least one  $pK_a$  greater than 7, as recited in Applicants' claims.

Kaufman reports that acetic acid can be used as a complexing agent (see, e.g., column 6, lines 5-8). Further, Kaufman reports that the pH of the slurry can be "adjusted" using known acids and bases (column 8, lines 28-30). Hudson also reports specific pH levels useful for planarizing wafers (column 4, lines 52-65). Kaufmann and Hudson, however, do not teach or suggest the use of a buffer. Accordingly, although Kaufmann and Hudson may have appreciated the desirability of generally controlling pH (i.e., adjusting the pH), the benefit of controlling pH to a defined pH range through the use of a buffer is not at all apparent from Kaufman and Hudson.

The Office Action asserts that it is known in the art that acetic acid is a buffer and supports this proposition by citing Line (U.S. 4,355,110), McEwan (U.S. 3,887,446), and Newman (5,082,540). The Line, McEwan, and Newman references are, as the Office Action acknowledges, from non-analogous art and have no bearing upon the teachings of Kaufman and Hudson with regard to the slurry-free working liquid of the pending application. The references

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do teach generally that acetic acid may be a component of a buffered system, however, they fail to teach that acetic acid is a buffer or that all systems containing acetic acid are buffered.

In an effort to further prosecution, Applicants have amended the claims to more clearly distinguish the claimed working liquid from the alleged teachings of Kaufman, Hudson, and Hirabayashi. In doing so, Applicants have specified that the buffer comprises a buffer having a polyprotic protolyte having at least one  $pK_a$  greater than 7. Neither Kaufman, Hudson, nor Hirabayashi describe, teach, or suggest the use of a buffer comprising a polyprotic protolyte having at least one  $pK_a$  greater than 7. For at least this reason, the rejection of claims 16, 19-39, and 41-43 under 35 U.S.C. § 103(a) as allegedly being obvious over Kaufmann in view of Hudson or Hirabayashi should be withdrawn.

## II. Conclusion

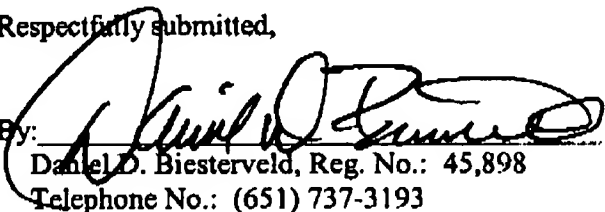
In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested. The Examiner is invited to contact Applicants' undersigned representative with any questions concerning Applicants' application

Respectfully submitted,

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Date

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